

# Notice of Allowability

Application No.

10/665,570

Examiner

Ella Colbert

Applicant(s)

TOGHER ET AL.

Art Unit

3624

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 26 September 2005.
2. ☒ The allowed claim(s) is/are 1, 2, 4, and 5.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1, 2, 4, and 5 are pending in this communication filed 08/26/05 entered as Amendment After Final and Extension of Time.
2. The Advisory Action of 09/26/05 is hereby withdrawn.

### **Reasons for Allowance**

3. Claims 1, 2, 4 and 5 are allowed.

The following is an Examiner's statement of reasons: The best prior art of record, Linstroth et al discloses the use of a quotation system which communicates trades made on floors of various exchanges via a data link, in the context of trading. Linstroth et al does not disclose displaying a composite quote which can be accepted by a trader on a trading terminal used by the trader, the composite quote including a display price which the trader can accept an offer to buy or sell a known quantity of an item of value, the composite quote being a composite of two or more smaller quotes made by two or more traders using a computerized trading system with each of the smaller quotes being for a quantity which is less than the known quantity for a price which is at least as good as the displayed price, the trader accepting the best bid, entering a quote from a trader into the trading system, the quote including a quantity and a price, displaying the quote to other traders, at least one of the other traders making a partial acceptance of the quote, the partial acceptance covering less than the full quantity of the quote, and canceling a remaining portion of the quote regardless of its size. The Kramer reference discloses some aspects of conducting trading transactions but neither discloses or suggests the features of displaying a composite

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quote which can be accepted by a trader on a trading terminal used by the trader, the composite quote including a display price which the trader can accept an offer to buy or sell a known quantity of an item of value, the composite quote being a composite of two or more smaller quotes made by two or more traders using a computerized trading system with each of the smaller quotes being for a quantity which is less than the known quantity for a price which is at least as good as the displayed price, the trader accepting the best bid, entering a quote from a trader into the trading system, the quote including a quantity and a price, displaying the quote to other traders, at least one of the other traders making a partial acceptance of the quote, the partial acceptance covering less than the full quantity of the quote, and canceling a remaining portion of the quote regardless of its size. An extensive search of the applicable prior art was done but showed no better references.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Other prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Markowitz, Arthur D. disclosed a portable trade recordation and submission system with display screens and account setup.

### **Inquiries**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday-Thursday, 6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**E. Colbert**  
**Primary Patent Examiner**  
September 30, 2005